UNIVERSITY OF CALIFORNIA, ACADEMIC SENATE

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Robert C. May
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Chair of the Assembly of the Academic Senate
Faculty Representative to the Regents
University of California
1111 Franklin Street, 12th Floor
Oakland, California 94607-5200

January 28, 2019

SUSAN CARLSON, VICE PROVOST
ACADEMIC PERSONNEL

Re: Proposed Revisions to Presidential Policy BFB-BUS-46 (Use of Vehicles and Driver Selection)

Dear Susan,

As you requested, the proposed revisions to Presidential Policy BFB-BUS-46 (Use of Vehicles and Driver Selection) were distributed for systemwide review. Six Academic Senate divisions (UCD, UCI, UCLA, UCM, UCR, and UCSD) and one systemwide committee (UCORP) submitted comments, which are attached to this letter. These comments were discussed at Academic Council's January 23, 2019 meeting. Council passed a motion to endorse the policy with the concerns and suggestions summarized below and detailed more fully in the attached.

We understand that the policy has been revised to clarify existing definitions and provisions and to incorporate new requirements, responsibilities, and standards for the use of UC-owned or leased vehicles and drivers on University business. The policy also designates the position of "University Location Official" as the responsible officer for enforcing driver requirements and standards, and clarifies the role of the campus Vehicle Collision Review Committee.

Reviewers expressed some confusion about whether and to what extent the policy applies to privately-owned vehicles. On one hand, the Policy summary states that "this Policy applies to all employee drivers who may operate any University of California vehicle or their own personal vehicle on behalf of the University and while on University business, including leased or rented vehicles, leased or rented vehicle, or privately owned vehicle while on University business." On the other hand, Section B.2 states that, "The use of privately owned vehicles for University business is allowed, and Business and Finance Bulletin G-28/Policy and Regulations Governing Travel, and Business and Finance Bulletin BUS-81/Insurance Programs should be consulted regarding applicable travel and insurance regulations." We recommend additional clarifications be made to the policy to resolve this confusion.

Several reviewers expressed concerns about the policy's potential effect on autonomous vehicle research specifically, and the University research mission more generally, to the extent that it diverts funds to support implementation of the policy or introduces onerous new requirements for UC faculty and graduate student researchers operating either UC owned or private vehicles.

UCSD and UCORP suggest that the policy authors consult the UC Institute of Transportation Studies and the UCSD Center for Human Urban Mobility concerning the implications of the proposed policy for research.

Reviewers also recommend additional clarifications to terms and definitions in the policy, including “University business,” “occupational driver,” and “preventable collisions.” UCM notes that the policy incorporates the California Negligent Operator Treatment System (NOTS) “points” system into decisions about UC driver qualifications and eligibility; however, the NOTS system addresses California driving histories only, while the UC policy is ambiguous about its treatment of UC drivers with out-of-state and international driving histories. UCM describes other problems with NOTS that call into question its fairness and effectiveness.

Please do not hesitate to contact me if you have additional questions.

Sincerely,



Robert C. May, Chair
Academic Council

Encl.

Cc: Chief Risk Officer Cheryl Lloyd
Executive Director, Environment, Health & Safety, Risk Services Ken Smith
Academic Council
Senate Directors

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January 14, 2019

Robert May
Chair, Academic Council

RE: Review of Proposed Revisions to Presidential Policy BFB-BUS-46, Use of Vehicles and Driver Selection

Dear Robert:

The proposed revisions to Presidential Policy BFB-BUS-46, Use of Vehicles and Driver Selection, were forwarded to all standing committees of the Davis Division of the Academic Senate. Two committees responded: Faculty Welfare and the Faculty Executive Committee (FEC) of the College of Agricultural and Environmental Sciences (CAES).

The FEC of CAES recommends that the Vehicle Collision Review Committees contain faculty representation, which is not currently mandated in the policy.

The Davis Division appreciates the opportunity to comment.

Sincerely,

Kristin H. Lagattuta, Ph.D.
Chair, Davis Division of the Academic Senate
Professor, Department of Psychology and Center for Mind and Brain

Enclosed: Davis Division Committee Responses

c: Edwin M. Arevalo, Executive Director, Davis Division of the Academic Senate
Hilary Baxter, Executive Director, Systemwide Academic Senate
Michael LaBriola, Principal Policy Analyst, Systemwide Academic Senate

University of California, Irvine

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November 8, 2018

Robert May, Academic Council
1111 Franklin Street, 12th Floor
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RE: Systemwide Senate Review of Proposed Presidential Policy BFB-BUS-46, UC Vehicle Use

Dear Chair May,

On our campus, the Council on Planning and Budget (CPB) reviewed the proposed Presidential Policy on the use of UC and personal vehicles in the course of University business. The Council on Educational Policy (CEP), Council on Faculty Welfare, Diversity, and Academic Freedom (CFW), Graduate Council (GC), and Council on Teaching, Learning, and Student Experience (CTLSE) declined to opine on this proposed Presidential policy. The Cabinet discussed the CPB's comments on the proposed policy at our November 6, 2018 meeting and unanimously endorsed forwarding the Council's comments to Academic Council.

Attached please find CPB's individual response. CPB found the revisions to be appropriate and reasonable, and there were no further comments shared at Cabinet.

The Irvine Division appreciates the opportunity to comment.

Sincerely,

Linda Cohen

Linda Cohen, Chair
Academic Senate, Irvine Division

Enclosures: CPB response dated 10/26/18

C: James Steintrager, Chair Elect, Academic Senate, Irvine Division
Hilary Baxter, Executive Director, Academic Senate
Kate Brigman, Executive Director, Academic Senate, Irvine Division
Laura Gnesda, Analyst, Academic Senate, Irvine Division

University of California, Irvine

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October 26, 2018

LINDA COHEN, CHAIR
ACADEMIC SENATE, IRVINE DIVISION

RE: Systemwide Senate Review of Presidential Policy BFB-BUS-46

At its October 24, 2018 meeting, the Council on Planning and Budget (CPB) reviewed the proposed Presidential policy BFB-BUS-46: Use of Vehicles and Driver Selection. The policy applies to the use of UC and personal vehicles in the course of University business.

From a planning and budget perspective, the Council found the revisions to be appropriate and reasonable.

CPB appreciates the opportunity to comment.

On behalf of the Council,

Steven Gross, Chair

CC: Kate Brigman, Executive Director
Michelle Chen, CPB Analyst

UCLA *Academic Senate*

December 17, 2018

Robert May
Chair, Academic Council

RE: Systemwide Senate Review: Proposed Revisions to Presidential Policy BFB-BUS-46: Use of Vehicles and Driver Selection

Dear Robert,

The Executive Board of the UCLA Academic Senate discussed the proposed revisions to Presidential Policy BFB-BUS-46: Use of Vehicles and Driver Selection, at its meeting on December 6, 2018. The Executive Board solicited comments from standing committees of the Senate, as well as the Faculty Executive Committees.

The faculty raised no concerns with the proposed revisions. However, a member of the board expressed that it is unclear what is considered to be "university business."

The Executive Board appreciates the opportunity to opine. Please feel free to contact me should have any questions.

Sincerely,



Joseph Bristow
Chair, UCLA Academic Senate

cc: Hilary Baxter, Executive Director, Systemwide Academic Senate
Sandra Graham, Immediate Past Chair, UCLA Academic Senate
Michael Meranze, Vice Chair/Chair-Elect, UCLA Academic Senate
Michael LaBriola, Principal Policy Analyst, Systemwide Academic Senate
Linda Mohr, Chief Administrative Officer, UCLA Academic Senate

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DECEMBER 5, 2018

ROBERT MAY, CHAIR, ACADEMIC COUNCIL

RE: PROPOSED REVISED PRESIDENTIAL POLICY BFB-BUS-46

Dear Robert:

The proposed revised *Presidential Policy BFB-BUS-46* (Use of Vehicles and Driver Selection policy) was distributed for comment to standing committees and school executive committees of the Merced Division of the Academic Senate. The Committee on Research, Graduate Council, Undergraduate Council, and the School of Natural Sciences and Engineering Executive Committees provided comments. These are enclosed. All other committees appreciated the opportunity to opine but declined to comment.

In discussing committee comments on the policy, Divisional Council identified the following three issues as shared concerns:

1. Definitions. Committees variously identified the need to clarify the definitions of "university business", "occupational driver", and "preventable collisions". Regarding the former, questions were raised about the scope of university business addressed by the policy. For example, is driving a personal vehicle to the airport to catch a flight to a conference, or to pick up a visiting student, considered university business and thus subject to systemwide policy? Regarding the latter, there is concern that the lack of a clear definition for "preventable collisions", coupled with the related concern that the Vehicle Collision Review Committees (VCRC) may not have sufficient knowledge to accurately classify accidents (particularly given there are professionals who do this for a living), could lead to inconsistent or unfair decisions. The School of Engineering Executive Committee also raised questions about the evidence and risk-based source of the definitions of Frequent and Infrequent drivers, noting that these definitions seem arbitrary.

2. The adoption of the DMV NOTS program (Negligent Operator Treatment System). As Graduate Council notes NOTS will only apply to UC drivers with California driving histories, excluding for example, out-of-state or international students. This generates an inequity which calls into question the effectiveness of this approach. It could also potentially lead to disproportionate restrictions on long-term California residents. The School of Engineering notes that ambiguity exists with respect to the interpretation and application of the point system with implications for the determination of infractions. For example, is a 60 MPH in a 55 MPH zone the same as a 20 MPH in a 15 MPH zone? Is a rolling stop at a right turn on a red light the same as running a red light? In the NOTS point system as presented, these are all equivalent. Finally, concerns were also raised about the potential for discriminatory traffic stop practices to impact the accumulation of NOTS points and in turn eligibility for driving University vehicles.

3. The perception that the policy seems designed to reduce liability, rather than protect people operating in and around motor vehicles, and, as a result, to be written so as to second guess the state's licensing laws. There is a sentiment that if you are legally licensed to drive in California, then the UC should allow you to drive on university business.

Other issues raised in the enclosed memos include whether there is a chance that the findings of VCRC's could be used by the university to transfer liability to drivers, and whether the policy, which seems to seek to encourage use of University vehicles for university business (see section B.2), actually establishes conditions which restrict their use.

Finally, DivCo more generally notes that it is not clear if this policy had been evaluated with due consideration of the research mission of the University of California, which by necessity involves graduate students and faculty in the operation of motor vehicles. Research is supported by extramural funds and many of the provisions of the revised policy will require additional effort and resources to enact. This will place additional hardship on UC researchers who must use vehicles to conduct their research.

Divisional Council hopes these comments are helpful, and thanks you for the opportunity to opine.

Sincerely,



Kurt Schnier, Chair
Divisional Council

CC: Divisional Council
Hilary Baxter, Executive Director, Systemwide Academic Senate
Laura Martin, Executive Director, Merced Senate Office

Encl (9)

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NOVEMBER 19, 2018

TO: KURT SCHNIER, CHAIR, ACADEMIC SENATE

FROM: LEROY WESTERLING, CHAIR, GRADUATE COUNCIL

RE: SYSTEMWIDE REVIEW ITEM (POLICY BFB-BUS-46: USE OF VEHICLES)

At its November 8, 2018 meeting, Graduate Council discussed the proposed changes to UC Presidential Policy BFB-BUS-46 (Use of Vehicles and Driver Selection Policy). While the committee agreed that such a policy is good in principle, members identified two parts of the new policy that were not clear and which, depending on how they are implemented, could have undesirable consequences.

First, the new policy will require use of DMV NOTS (or the CA Department of Motor Vehicles' "Negligent Operator Treatment System"), a program created to keep so-called "negligent motor vehicle operators" off the roads based on assigning "points" to California license holders over time for traffic violations. While this may give supervisors some peace of mind when sending graduate students to do field work alone, it addresses only California driving histories, not those of out-of-state or international students, an inequity which calls the effectiveness of this approach into question. It may also lead to disproportionate restrictions to long-term California residents.

Second, the definition of "preventable" collision, used to classify accidents by the proposed Vehicle Collision Review Committee (VCRC), is not clear. A concern was also raised that the VCRC may not have sufficient knowledge to accurately classify accidents, particularly in light of the fact that there are professionals who do this for a living. Both the lack of a clear definition and relevant experience could lead to inconsistent or unfair decisions. Should this model move forward, it would, however, be important to have faculty and student representatives on these committees to ensure cases are informed by people who understand the nature of research-related travel.

In sum, GC recommends these concerns, as well as the following questions, be addressed before adopting any such policy.

1. Can out of state records be retrieved to make this fair to everyone involved?
2. How far back does the NOTS record go? Will a 30 year-old grad student or 60 year-old professor be punished for a decades old record?
3. Why does the university need its own review committee? Can this information be obtained from insurance or police?
4. Is there a chance that the findings of the review committee could be used by the university to transfer liability to drivers?

Importantly, answers to these questions may impact willingness of students to drive, which in turn would impact graduate education and research productivity, more generally.

Graduate Council appreciates the effort that went into this drafting policy and thanks you for the opportunity to opine.

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SCHOOL OF ENGINEERING

University of California, Merced
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To: Kurt Schnier, Chair, UC-Merced Academic Senate
From: Catherine Keske, Chair, School of Engineering (SOE) Executive Committee
Re: System-wide Review: Proposed Revisions to Presidential Policy BFB-BUS-46

The School of Engineering appreciates the opportunity to opine on the Proposed Revisions to Presidential Policy BFB-BUS-46.

We have numerous concerns about arbitrary practices that are presented in the proposed policy, and we note several impacts that involve serious equity issues. We outline our concerns in detail, below.

In general, the memo from Cheryl Lloyd (AVP CRO, Sep 7, 2018), makes mention of many stakeholders being affected by this policy, but the memo specifically excludes the research mission of the University of California. It is unclear why this is the case, but research is supported by extramural funds and many of the provisions of the revised policy will require additional effort and resources to enact. This will place additional hardship on UC researchers who must use vehicles to conduct their research.

There are at least ten inherent problems with the intent and manner in which UCOP handles driving while conducting University business, and specific to this policy:

1) **Definitions**: the definitions provided in the draft memo are inconsistent and arbitrary. The definition for Frequent Driver is presented as 10-25 hours per month, and Infrequent Driver is less than 10 hours per month. These definitions are completely arbitrary with no evidence to suggest that 26 hours per month is inherently a greater risk than 25 hours per month or even 10 hours per month. Where did these numerical limits come from? Furthermore, and more importantly, there is nothing to indicate how such limits would or should be determined. Are these calculated on average over a year, or is someone supposed to pull off to the side of the road 10 hours into the month?

2) **Ambiguity in NOTS point system**: While it is clear that many offenses in a moving vehicle are highly dangerous – and obviously against the law – there remains ambiguity with respect to the interpretation and application of the point system as it relates to infractions that might be unevenly applied. For example, is a 60 MPH in a 55 MPH zone the same as a 20 MPH in a 15 MPH zone? Is a rolling stop at a right turn on red light the same as running a red light? In the NOTS point system as presented, these are all equivalent.

3) **Occupational Driver**: the definition of occupational drivers remains ambiguous. Every job title that UCOP deems as having motor vehicle operation as an "essential job junction" should be provided. Perhaps this should include all administrators, given the amount of travel conducted on behalf of the University.

4) **Sec. B 1 b**: It currently states, "If the driver meets all of the qualifications, the University Location Official ***can*** approve" the driver. Why does this not state, the official ***will*** approve? What is the point of

going through the process if it remains at the discretion of the official? In other words, the driver – a University of California employee, with a valid driver's license and a mandate to conduct business on behalf of the University, without any delinquency can be denied use of a University vehicle because they can do whatever they feel like doing; is that really what was intended by this provision?

5) **Sec**. **B 2**: The policy suggests University vehicle use is preferred, but goes out of its way to restrict use. It is obvious that the University of California must use motor vehicles in nearly facet of its business, and therefore creates an unmet demand for such vehicles, leading many employees (faculty, staff, students) to use personal vehicles for University business. In the process, it is unclear if the insurance requirements – as stipulated by a different policy BUS-81 – are fundamentally different (i.e., more stringent) than those of the state. If so, how are those insurance requirements to be policed?

6) **Sec. C 1**: If eligible drivers are aged 18 and older, as defined here, are prevented from using a University vehicle and have no personal vehicle, how will they be treated by third-party vendors (rental car agencies), when the minimum age is often higher (e.g., at Enterprise, a preferred vendor to the UC, the minimum age of 21)?

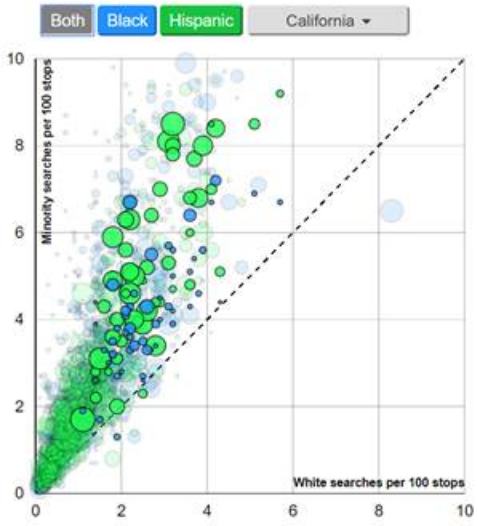
7) **Sec**. **C 2 7**: this clause is contradictory. The section deals explicitly with driver's responsibilities "***when driving on University of California business***" (C 2), yet the subsection (7) states "Reporting all moving violations or accidents, ***regardless of whether the violations or accidents occur while driving on university business***, to the University Location Official within twenty-four (24) hours." Where is it in the provision of the UC to mandate that all fender benders to private vehicles on personal time of its employees should be reported? In other provisions in this policy, it is clearly indicated that occupational drivers must report all such infractions, so it is unclear why these contradictory statements are included here. What is the point of having the NOTS system and the DMV EPN if it is up to the employees and the local official to report and track all such infractions in real time?

8) **Sec**. **C 3 a 3**: it is unclear how "reported/observed unsafe driving behavior" is determined. Are there objective or subjective tests being applied?

9) **Numbering system**: the current revision of the policy is inconsistent in its numbering system and prevents ease of communication with respect to clauses and sub clauses. For example, in Section C (Drivers) 3 (Driver Requirements) there are no numbers designating Infrequent Drivers and Frequent Drivers, despite having sub-clauses.

10) **Sec. D** 4 a: There is a very real concern that *this clause is both arbitrary and discriminatory*. Namely, 1-point offenses reflect a mélange of serious, semi-serious, and perhaps not so serious moving violations. And while one infraction per year for three years, on average, may seem sufficient to preclude University employees from driving on University business, there is reason to believe that it could unfairly target students and people of color. In particular, for Infrequent Drivers and perhaps Frequent Drivers given the arbitrary nature in which these classes of drivers are defined, this provision could unfairly prevent certain categories of University affiliates from doing their job. According to the Stanford Open Policing Project, stop rates are often higher for both black and Hispanic drivers in California. More alarming is the fact that after traffic stops, arrests are far more likely to happen to people of color (Figure 1). Given the diverse student and staff at UC, we should strive to identify potential discrimination. There is no clearer evidence that this happens very regularly in the application of policing to motor vehicle operation. If the frequency

of stops is higher, and the infraction rate (either tickets or arrests) is disproportionately higher, it stands to reason that people of color are more likely to (unfairly) fail the definitions laid out in this policy. The point system is arbitrary, and poised for discrimination.



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November 17, 2018

To: Kurt Schnier, Chair, Divisional Council

From: Erik Menke, Chair, SNS Executive Committee

Re: SNS comments on proposed charge for Academic Planning Working Group

The SNS Executive Committee received the following comments on the Proposed Revisions to Presidential Policy BFB-BUS-46 (Use of Vehicles and Driver Selection policy):

1) I'm reading through it and trying to figure out how inclusive it aims to be. Is everyone that drives their personal vehicle EVER on university business included in this policy? Because if so, policy strikes me as very "big brother". I already feel as if the state of California is very far-reaching in the extent to which they monitor your driving status. To have the UC do the same, particularly under the circumstances in which you drive your personal vehicle on occasion for university business (like driving yourself to the airport for travel), seems excessive, and an invasion of privacy.
2) I'm not sure how "University business" is defined. For example, if I drive my car to Fresno airport to fly to a conference, is that "University business"? It really seems like this needs to be added to the definitions section.

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January 15, 2019

Robert May, Chair, Academic Council
1111 Franklin Street, 12th Floor
Oakland, CA 94607-5200

RE: [Systemwide Review] CORRECTION: Proposed Revisions to Presidential Policy BFB-BUS-46 (Use of Vehicles and Driver Selection policy)

Dear Robert,

The Executive Council of the Riverside Division discussed the corrected version of the Proposed Revisions to Presidential Policy BFB-BUS-46 (Use of Vehicles and Driver Selection policy) during our January 14, 2019 meeting. Council had no additional comments.

I have included memos from the consulted committees.

peace

Dylan Rodríguez
Professor of Media & Cultural Studies and Chair of the Riverside Division

CC: Hilary Baxter, Executive Director of the Academic Senate
Cherysa Cortez, Executive Director of UCR Academic Senate Office

UC RIVERSIDE | Academic Senate

COMMITTEE ON FACULTY WELFARE

January 4, 2019

To: Dylan Rodriguez
Riverside Division Academic Senate

From: Daniel Jeske, Chair
Committee on Faculty Welfare



Re: Review of Updated Revision of Policy on Vehicles and Driver Selection

The Committee on Faculty Welfare considered the updated revisions to Presidential Policy BFB-BUS-46 (Use of Vehicles and Driver Selection Policy) and does not have any further comments to provide beyond those expressed in its original response dated October 22, 2018.

UC RIVERSIDE | Academic Senate

COMMITTEE ON FACULTY WELFARE

October 22, 2018

To: Dylan Rodriguez
Riverside Division Academic Senate

From: Daniel Jeske, Chair
Committee on Faculty Welfare

Re: FWC review of Proposed Revision of Policy on Vehicles and Driver Selection

FWC met on 10/16/2018 to review the "Proposed Revisions to the Policy on Vehicle Use and Driver Selection." FWC is confused by much of this document, and we have a sense it is too broadly written. Consequently, we were unable to vote on its adoption.

Particular questions about the document that we have are: 1) What is the motivation for this policy?, 2) Are there any circumstances where van pools are covered by this policy?, 3) Does the policy apply to a faculty driving their own car to the airport on University business? If so, why? and 4) How are the points accrued by the NOTS system used to mete out punishment? If the policy applies to the situation we hypothesize in (3), then it would seem statement #1 on p.11 of the policy would allow the University to suspend the faculty from driving their own car to the airport when trying to get to an academic meeting? Is this really the intent of the policy? Shouldn't this type of punishment be left up to the police and the DMV?

UC RIVERSIDE | Academic Senate

PLANNING & BUDGET

December 11, 2018

To: Dylan Rodriguez, Chair
Riverside Division

From: Katherine Kinney, Chair
Committee on Planning and Budget

RE: [Systemwide Review] Proposed Revisions to Policy: Proposed Revisions to Presidential Policy BFB-BUS-46 (Use of Vehicles and Driver Selection policy)

Planning & Budget discussed the proposed revisions to Presidential policy BFB-BUS-46 regarding the use of vehicles and driver selection policy at their December 11, 2018 meeting. The new policy mandates various forms of the training. There is no discussion of who would be responsible for developing such training programs and the associated costs. This should be clarified.

UNIVERSITY OF CALIFORNIA, SAN DIEGO UCSD

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January 10, 2019

CHERYL LLOYD
Associate Vice President and Chief Risk Officer

SUBJECT: Proposed Revisions to UC Presidential Policy BFB-BUS-46, Use of Vehicles and Driver Selection Policy

Dear Associate Vice President and Chief Risk Officer Lloyd:

The proposed UC Presidential Policy – BFB-BUS-46, Use of Vehicles and Driver Selection Policy was circulated to standing Senate committees for review, and was discussed at the San Diego Divisional Senate Council's meeting on January 7, 2019. Members noted that research on autonomous vehicles and distracted driving was being conducted at UC San Diego and so further consultation with UC transportation researchers is warranted. The San Diego Divisional Senate Council has no objections to the proposed policy, but voted with the proviso that the UC Institute of Transportation Studies and the UC San Diego Center for Human Urban Mobility be consulted on the proposed policy.

Sincerely,

Robert Horwitz, Chair
Academic Senate, San Diego Division

Enclosure

cc: H. Baxter M. Corr R. Rodriguez

UC San Diego's Center for Human Urban Mobility (CHUM) Directors:

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Director, Training, Research and Education for Driving Safety (TREDS)
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UNIVERSITY COMMITTEE ON RESEARCH POLICY (UCORP)
Andrew Baird, Chair
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Oakland, California 94607

January 14, 2019

ROBERT MAY
CHAIR, ACADEMIC COUNCIL

RE: Proposed Revisions to Presidential Policy on Use of Vehicles and Driver Selection (BFB-BUS-46)

Dear Robert,

UCORP discussed the Proposed Revisions to "Presidential Policy on Use of Vehicles and Driver Selection (BFB-BUS-46)" at its autumn meetings. There were no major concerns regarding the specific proposed changes in policy but we thought it would be worth making a few points in regards to its potential impact on vehicular research in the UC system. Namely,

(1) We noted that the new policy does not consider its potential impact on vehicular "research" in the UC system and that there is no research exclusion.
(2) The revision involves an "implementation *(that)* will apply to all drivers on University business – not solely employees". This will be interpreted as applying to students on research projects for example who strictly speaking are not employees.
(3) The emergent fields of autonomous and semi-autonomous vehicles are not mentioned, yet are exemplary research technologies that are being studied on several campuses and indeed, some are on the verge of deployment on certain campuses. These activities might be significantly impacted by the proposed policy changes in ways that we do not appreciate because these vehicles, now be defined as "UC Vehicles", may have active or passive operators and affected by criteria set forth in the policy.

For these three reasons, UCORP sought consultation with UCOP's Multi-campus Research Unit called the Institutes for Transportation Studies (ITS), as well as CHUM, the Center for Human Urban Mobility CHUM) at UC San Diego, a transport-related group that was brought to our attention. The response from the ITS directors through their Executive Director, Laura Podolsky and by Linda Hill, the director of CHUM are noted below. They felt that:

(1) The policy is a broad update to the vehicle use policy that is too imprecise in many areas (from ownership to conflict resolution). It will be empowering to some department (or committees) to have broad powers that can impact individuals (including dismissal) and impact departments with financial liabilities for employee/student misuse of vehicles.

(2) The update requires the collection of substantial amounts of information and there is no information regarding how this personal information will be handled (e.g. confidentially).
(3) The policy identifies a "University Location Officer" which is tentatively identified as the Chancellor but there is no information as to who fulfills the role, what obligation do they have to work in a timely, responsive manner to approve drivers and how disputes will be resolved. Personal information will be provided to this entity but no mechanisms of confidentially are assured.
(4) Some of the policy text needs to be clarified to match the definitions. For example, in Section 3.C. Drivers, it is not clear whether “vehicle” refers only to University owned vehicles or also to privately owned vehicles.
(5) The policy does not specifically recognize that research and assessments are sometimes performed by faculty, students and UC employees on vehicles are owned by third parties (e.g. manufacturers).
(6) Text describing the use of privately-owned vehicles seems to have been eliminated which could be a problem when researchers use their own vehicles for testing devices in vehicles.
(7) The policy does not specifically include a position statement regarding distracted driving (including use of Bluetooth devices). CHUM feels that UC should be proactive and go beyond state-mandates particularly since UC research in this area is showing distracted driving dangers extend beyond hand-held to bluetooth devices
(8) There was mixed concern regarding the policy having unintended consequences on research plans to deploy autonomous vehicles on and off campus that needs to be monitored.

Consultation with transportation experts within the UC system enabled UCORP to assess potential unintended consequences to important, ongoing and planned research activities which we want to promote on UC campuses, not discourage.

Sincerely,



Andrew Baird
Chair, University Committee on Research Policy

cc: Kum-Kum Bhavnani, Academic Council Vice Chair
Hilary Baxter, Academic Senate Director
UCORP members